GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

STARRED QUESTION NO:251
ANSWERED ON:17.03.2008
LABOUR DISPUTES
Jogi Shri Ajit

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the total number of labour disputes pending in various labour courts during each of the last three years and the current year, State-wise;

(b) the number of disputes settled during the said period alongwith the time taken in settling the said disputes, State-wise and year-wise; and

(c) the number of disputes wherein the employers were held responsible for the violations of the provisions of the existing Industrial Labour Laws in the country during the said period, State-wise and year-wise?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES)

(a) to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION NO. 251 FOR ANSWER ON 17.03.2008 REGARDING LABOUR DISPUTES BY SHRI AJIT JOGI.

(a) & (b): As per the Industrial Disputes Act, 1947, an Appropriate Government can set up Labour Courts and Industrial Tribunals for resolution of Industrial Disputes. In respect of Industrial Disputes arising in the Central Sphere, Central Government is the Appropriate Government for setting up the Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LCs). There are 22 CGIT-cum-Labour Courts in different parts of the Country. The details of the number of labour disputes pending and disposal in various CGIT-cum-Labour Courts during the year 2004-05, 2005-06, 2006-07 and 2007-08 are at Annex-I. The details of State Labour Courts are not centrally maintained.

An attempt is made by the conciliation machinery to settle the disputes to the extent possible. Those conciliation proceedings which result in failure and are referred for adjudication, are taken up by the labour courts. The time taken to dispose of an industrial dispute in labour courts varies from case to case and, inter-alia, depends on the cooperation of the parties to the dispute, with the result that most cases take considerably longer than the stipulated norm of three months.

(c): The Industrial Disputes Act, 1947 provides framework for maintaining harmonious industrial relations. The Act facilitates intervention, mediation and conciliation by the Industrial Relations Machinery of the Appropriate Government for resolution of Industrial Disputes. If the conciliation proceedings fail to settle the dispute, then such dispute, if the appropriate Government is of the opinion that an industrial dispute exists or is apprehended, are referred to various Industrial Tribunal-cum-Labour Courts for adjudication. As per the provisions of the I.D. Act, 1947, where an industrial dispute has been referred to the Labour Court, Tribunal or National Tribunal for adjudication, it shall hold its proceedings expeditiously and submit its award to the appropriate Government. The spirit behind the provisions in respect of mediation, conciliation and adjudication in the Industrial Disputes Act, 1947 is to provide relief to the aggrieved party rather than fixing responsibility on individual parties to the dispute. Industrial Disputes generally arise (i) due to demands raised collectively by a group of workmen and (ii) due to disputes, including those of punishment awarded to individual workmen. Therefore, the specific information on number of disputes, wherein the employers were held responsible for violations of the provisions of the existing industrial labour laws, cannot be ascertained.